

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

## HUNTER CHRISTIAN,

Petitioner,

V.

## STATE OF WASHINGTON,

## Respondent.

CASE NO. 3:20-CV-5112-RJB-DWC

## ORDER

This is a federal habeas action filed under 28 U.S.C. § 2254. Petitioner has submitted an application to Proceed with this action *In Forma Pauperis* (“IFP”). Dkt. 4. Petitioner’s application demonstrates he is unable to afford the \$5.00 filing fee. Petitioner’s Application to Proceed IFP (Dkt. 4) is therefore GRANTED. The Clerk is directed to file Petitioner’s Petition for a Writ of Habeas Corpus (the “Petition”) without the prepayment of fees.

In his Petition, Petitioner named the State of Washington as Respondent. See Dkt. 1-1.

The proper respondent to a habeas petition is the “person who has custody over [the petitioner].” 28 U.S.C. § 2242; see also § 2243; *Brittingham v. United States*, 982 F.2d 378 (9th Cir. 1992); *Dunne v. Henman*, 875 F.2d 244, 249 (9th Cir. 1989). According to his Petition, Petitioner is

1 currently confined at Coyote Ridge Corrections Center (“CRCC”) in Connell, Washington. *See*  
2 Dkt. 1-1. The Superintendent of CRCC is Jeffrey A. Uttecht.

3 Accordingly, the Clerk of Court is directed to substitute Jeffrey A. Uttecht as the  
4 Respondent in this action. The Clerk of Court is also directed to update the case title.

5 Dated this 12th day of March, 2020.

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8 David W. Christel  
United States Magistrate Judge

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